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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.498 OF 2006
IN
INCOME TAX APPEAL (LOD) NO.195 OF 2006

The Commissioner of Income Tax ..Appellant.

V/s.

M/s.Crest Communication P. Ltd. ..Respondent.

Mr.A.D.Kango with P.S.Sahadevan for appellant.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 1ST OCTOBER, 2007.

P.C. :-

There is a delay of 302 days in preferring the appeal. There is affidavit of Mr.K.Mohandas in support of the Motion. There is an additional affidavit of Mr.Manoj Kumar filed on 29/9/2007. The delay between 8/4/2005 and 30/11/2005 has occasioned in the Law Ministry over which the appellant had really no control. The draft after receipt appears to have been scrutinised by the assessing officer and certain recommendations were made and the draft was collected by the panel counsel in the second week of January, 2006 and appeal was filed on 7/2/2006. Considering the cause shown, in our opinion, it would amount to sufficient cause. Hence delay is condoned. Office to register the appeal.

Motion disposed of.

(J.P.DEVADHAR, J.) **(F.I.REBELL0, J.)**